

# HOUSE BILL REPORT

## EHB 2108

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### As Passed Legislature

**Title:** An act relating to hearing instrument fitter/dispensers.

**Brief Description:** Concerning hearing instrument fitter/dispensers.

**Sponsors:** Representatives Ross, Moeller and Johnson.

#### Brief History:

##### Committee Activity:

Health Care & Wellness: 1/16/14, 1/23/14 [DP].

##### Floor Activity:

Passed House: 2/18/14, 86-12.

Senate Amended.

Passed Senate: 3/5/14, 45-4.

House Concurred.

Passed House: 3/10/14, 96-2.

Passed Legislature.

#### Brief Summary of Engrossed Bill

- Re-names hearing instrument fitters/dispensers as "hearing aid specialists."
- Creates an alternate path to licensure for hearing aid specialists.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 15 members: Representatives Cody, Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Clibborn, DeBolt, Green, G. Hunt, Jinkins, Manweller, Moeller, Rodne, Ross, Short, Tharinger and Van De Wege.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Riccelli, Vice Chair; Morrell.

**Staff:** Jim Morishima (786-7191).

#### Background:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## I. Hearing Instrument Fitters/Dispensers.

A hearing instrument fitter/dispenser is authorized to sell, lease, or rent hearing instruments; modify hearing instruments; administer non-diagnostic tests; and use other procedures essential to these functions. The practice of fitting and dispensing hearing instruments includes:

- recommending specific hearing instrument systems, specific hearing instruments, or specific hearing instrument characteristics;
- taking impressions for ear molds;
- using non-diagnostic procedures and equipment to verify the appropriateness of the hearing instrument fitting; and
- performing hearing instrument orientation.

## II. Qualifications.

To be licensed as a hearing instrument fitter/dispenser, a person must:

- complete a two-year degree program in hearing instrument fitter/dispenser education approved by the Board of Hearing and Speech (Board) and pass an examination;
- hold a current, unsuspended, unrevoked license from another jurisdiction whose standards are substantially equivalent to Washington's; or
- hold a current, unsuspended, unrevoked license from another jurisdiction; demonstrate that he or she has actively practiced in the other jurisdiction for at least 48 of the past 60 months; achieve active certification from the International Hearing Society or the National Board for Certification in Hearing Instrument Sciences; and pass an examination.

### **Summary of Engrossed Bill:**

## I. Hearing Instrument Fitters/Dispensers.

Hearing instrument fitters/dispensers are re-named "hearing aid specialists."

## II. Qualifications.

A person may be certified as a hearing aid specialist if he or she satisfactorily completes:

- a Board-approved, nine-month certificate program offered by a Board-approved hearing aid specialist program;
- a practical examination approved by the Board, which must be given at least quarterly and may be proctored by industry experts hired by the Board; and
- the hearing aid specialist examination.

The Department of Health (DOH), the Board, and representatives from community and technical colleges must review the opportunity to establish an intern work-based learning permit, or similar apprenticeship opportunity, to provide an additional licensing pathway for hearing aid specialist applicants. The group must consider the following areas:

- the opportunity to provide a work-based learning permit to applicants who either have a two-year or four-year degree in a field of study approved by the Board from an

- accredited institution of higher education or are no more than one full-time academic year away from such a two-year or four-year degree;
- the criteria for designating a board-approved hearing aid specialist or audiologist as the applicant's supervisor;
  - the recommended duration of an intern work-based learning permit or apprenticeship;
  - recommendations for a work-based learning permit or apprenticeship and opportunities to offer a program through a partnership with private business or through a partnership with accredited institutions of higher education and a sponsoring private business;
  - recommendations for the learning pathways or academic components that should be required in any work-based learning program, which must include specific training elements that must be completed, such as audiometric testing, counseling regarding hearing examinations, hearing instrument selection, ear impressions, hearing instrument fitting and follow-up care, and business practices, including ethics, regulations, and sanitation and infection control; and
  - recommendations for the direct supervision of a work-based learning permit or apprenticeship, including the number of persons a hearing aid specialist or audiologist may supervise.

The DOH, the Board, and the representatives from community and technical colleges must submit recommendations to the health committees of the Legislature by December 1, 2014.

**Appropriation:** None.

**Fiscal Note:** Available

**Effective Date:** The bill takes effect on July 1, 2015.

**Staff Summary of Public Testimony:**

(In support) There is a shortage of hearing instrument fitter/dispensers in Washington, which makes it difficult to serve customers, especially given Washington's increasing population. The shortage also makes it difficult for Washington businesses to compete with businesses in other states. The state urgently needs more hearing instrument fitter/dispensers. This bill will help the state produce more qualified hearing instrument fitter/dispensers, which will help both consumers and businesses. In 1996 a study was completed to determine appropriate training requirements for this profession; this bill is reflective of one of the approaches in the study. The practice-based training in this bill is consistent with most other states. Most adults learn by doing and examinations in this area are moving in this direction. Washington is one of the only states that does not have an apprenticeship approach to licensing, which puts the state behind the rest of the country. Washington's pathway is so restrictive that it excludes people with four-year degrees. This bill does not expand the scope of practice for hearing instrument fitter/dispensers, does not eliminate the existing paths to licensure, and does not change how the school-based training programs operate.

(With concerns) This bill is a major change and warrants further discussion; the bill should go through a stakeholder process. There is no regulatory oversight over the practical experience element of this bill; there is no regulatory authority, no accrediting body, and no

link between the supervisors and the state to make sure the applicants are getting the training they need. The perception that there is a shortage of hearing instrument fitter/dispensers should be examined more closely; there are currently two schools offering degrees in hearing instrument fitting/dispensing, an audiology program at the University of Washington, and a new audiology program in the Portland area. An apprenticeship model is costly for the state, costly to supervisors and business owners, and difficult to regulate with respect to the quality of education. This bill will have a negative impact on patient care; it is a step backwards. Selling hearing aids is complicated, and reducing training standards is not the way to address this issue. The limited training environment will make the credential less portable. This bill allows an applicant to have any college degree; a liberal arts degree is not the same as a degree from a dedicated program. Under this bill, not all apprentices will have the full spectrum of training, yet they can work anywhere. The bill requires distance learning from an entity that is not regulated by the state; if the entity ceased to exist, the applicant could not obtain a credential. The effective date should be extended to July 1, 2015. The language in the bill about mail orders may be preempted by federal law.

(Opposed) None.

**Persons Testifying:** (In support) Lisa Thatcher and Richard Giles, Washington Hearing Society; Tammy Clark and Paul Sass, Costco Wholesale; Sandy Hubbard, Miracle-Ear franchise; and Paula Cain, Hearing Aid Consultants.

(With concerns) Melissa Johnson and Susan Anderson, Washington Speech-Language-Hearing Association; Nichole Kingham, Washington State Audiology Academy; Kristi Weeks, Department of Health; Cheri Perazzoli, Hearing Loss Association of Washington; and Marty Brown, State Board of Community Technical Colleges.

**Persons Signed In To Testify But Not Testifying:** None.